

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov



California Office of Historic Preservation Technical Assistance Series #7

How to Nominate a Resource to the California Register of Historical Resources

GENERAL NOMINATION PROCEDURES

To determine what information has already been collected regarding a particular resource, interested parties should first contact the Information Center that serves the county in which the property is located. Please refer to Appendix 8 of the *Instructions for Recording Historical Resources* booklet for the locations of the Information Centers.

The forms required to nominate a resource to the California Register and instructions for filling them out can be found in *Instructions for Recording Historical Resources* booklet.

For a checklist to ensure your nomination packet contains all necessary and supplementary material, please refer to the end of this document. This section contains lists for standard nominations as well as for the nomination of surveys and ordinances.

Cover Letter

A cover letter must be submitted with the nomination and must include the names and addresses of the applicant, the resource owner and local government with land-use authority, and a concise statement of significance. The statement of significance should clearly list the justification for the importance of the historical resource.

For surveys being nominated to the California Register, the cover letter must include the names and addresses of the applicant and local government, owner names and addresses for all properties within the survey, an overview of the survey methodology to verify that it meets the standards outlined in the next section, and adequate mapping showing all areas surveyed.

For the nomination of local ordinances designating significant historical resources, the cover letter must include the names and addresses of the applicant and the local

government acting as the designating body and a list of all locally designated resources being nominated with complete ownership information for each.

Local Government Review

After the nomination and all necessary attachments have been completed, the applicant must send by certified mail a copy of the application to the clerk of the local government in whose jurisdiction the property is located. The local government is given 90 days to comment on the application before it may be sent to the Office of Historic Preservation (OHP) for review. In the cover letter to the local government, the applicant should indicate that the local government has 90 days in which to comment on the nomination and that comments should be returned to the applicant, who will then forward the application to the OHP. Comments from the local government must be submitted with the application when it comes to the OHP. If the local government fails to comment within the 90-day period, the applicant must include a copy of the certified mail receipt with the application when it is forwarded to the OHP. If the applicant is the local government, this requirement is of course waived as this is assumed to be a comment of support for the nomination.

Nomination Submission

After receiving comments from the local government or at the end of the 90-day waiting period, the original nomination may then be forwarded to the OHP at P.O. Box 942896, Sacramento, California, 94296-0001. At this time, a copy of the nomination should also be sent by the applicant to the appropriate Information Center in whose jurisdiction the property lies.

Office of Historic Preservation Review

Upon receipt of the nomination, the OHP will review the documents for completion. Within 30 days of receipt of the nomination, the OHP will inform the owner(s)--in the event the applicant is not the owner--of the nomination and will request any further information needed. After all additional information has been compiled, a hearing date will be set for the nomination to go before the State Historical Resources Commission (Commission). At least 60 days prior to the hearing date, the OHP will notify the applicant, owner(s), local government, interested parties, and the general public of the hearing date and location. Following the Commission's hearing and decision, notification letters will be sent within 45 days to the applicant, owner(s), and local government informing all parties of the Commission's decision.

NOMINATING SURVEYS

Historical resources evaluated as significant in an historical resource survey may be listed in the California Register if they meet the California Register's criteria (referenced at the end of this document) and if the survey itself meets the following (minimal) standards of resource recordation:

- Resources are documented using the DPR Form 523 recordation format (if recorded after November 1997, the DPR Form 523 dated January 1995 must be used);
- The survey is conducted within the framework of a research design or statement of objectives;
- Evaluation of the significance of survey resources uses criteria that are consistent with the California Register;
- Evaluation of significance applies the California Register criteria within historic contexts;
- Complete current ownership information is provided for historical resources included in the survey; and,
- Survey results are submitted to the clerk of the local government for a 90-day comment period with said comments included in the nomination materials.

If a survey is more than five years old or if the survey in question has already been submitted to the Office through the standard survey recordation process, please contact the Office to determine what additional information may be required for nomination to the California Register.

Survey Nomination Process

The nomination must be accompanied by a cover letter. Please refer to the "Cover Letter" section above for information regarding what the cover letter for nominated surveys must include.

After the nomination and all necessary attachments have been completed, the applicant must send by certified mail a copy of the application to the clerk of the local government in whose jurisdiction the property is located. Please refer to the "Local Government Review" section above for information about the local government review process.

The Office will review the survey documentation to ensure that it meets these standards of resource recordation. Survey evaluations will also be reviewed by the Office based upon the California Register criteria of significance. Surveys which are federally funded through National Historic Preservation Fund grants and completed under a

contractual agreement with the Office will have exceeded the standards outlined above and no further review will be necessary.

If the survey used National Register criteria and was previously accepted by the Office, Categories 1 to 4 will not require further evaluation unless the survey was completed more than five years prior to nomination. Category 5 resources shall be evaluated by the Office using California Register criteria.

The Office will notify all resource owners of the nomination within 30 days of receipt of the nomination. If a majority of resource owners within the survey boundaries objects by notarized letter to the nomination, the survey cannot be listed in the California Register, but can still be formally determined eligible for listing by the State Historical Resources Commission.

Within 60 days of receipt of the nomination the Office will either schedule the survey for a hearing before the State Historical Resources Commission or will request further information needed to complete the nomination. When the nomination is complete, it will be scheduled for a hearing and notifications of the hearing date and place will be sent at least 60 days prior to the hearing to the applicant, local government, and all resource owners.

Within 45 days after the Commission makes its determination, notice of the decision will be sent to the applicant, local government, and resource owners.

NOMINATING LOCAL ORDINANCES

The Office of Historic Preservation allows for the nomination of municipal or county ordinances to the California Register. When an ordinance is nominated, all resources designated under that ordinance are automatically listed in the California Register. Applicants should understand, however, that all resources designated under a nominated ordinance must have proper documentation in the form of the DPR 523 forms on file with the Office of Historic Preservation in order to be listed in the California Register.

Resources designated under municipal or county ordinances that have the authority to restrict demolition or alteration of historical resources can be nominated to the California Register if, after review by the Office of Historic Preservation, it is determined that the ordinance meets the following criteria:

- The ordinance provides for owner notification of the nomination, stating that the resource is being nominated both for local designation and for listing in the California Register, and provides an opportunity for public comment.
- The criteria for municipal or county historical resource designation consider the historical and/or architectural significance and integrity of the resource and require a legal description of the resource.

- The designating authority issues findings or statements describing the basis of determination for designation.
- The designation provides some measure of protection from adverse actions that could threaten the historical integrity of the resource.

Ordinance Nomination Process

The nomination must be accompanied by a cover letter. Please refer to the “Cover Letter” section above for information regarding what the cover letter for nominated ordinances must include. Additionally, the nomination needs to include DPR 523 forms (Primary Record, appropriate evaluation form, and Location Map, if necessary) for each resource that has been designated under the nominated ordinance to date.

After the nomination and all necessary attachments have been completed, the applicant must send by certified mail a copy of the application to the clerk of the local government in whose jurisdiction the property is located. Please refer to the “Local Government Review” section above for information about the local government review process.

Upon receipt of a local ordinance nomination by the Office of Historic Preservation, the Office will ensure that the nomination is complete and will notify owners of all properties nominated under the ordinance within 30 days. If a majority of property owners of resources designated under the nominated ordinance objects, no resources designated under that ordinance can be listed, but they may still be determined eligible for the California Register.

After owner notification, a hearing before the State Historical Resources Commission will be set and notices will be sent to all resource owners, the applicant, and the designating governmental entity no later than 60 days prior to the hearing date.

Within 45 days after the State Historical Resources Commission votes on the nomination, a written decision will be sent to all owners, the applicant, and the designating governmental entity.

Once an ordinance is listed, resources designated under that ordinance in the future will be listed when DPR 523 forms for each resource are forwarded to the Office of Historic Preservation along with a copy of the ordinance and a cover letter that includes the criteria for listing, owner name and address, and a concise statement of significance.

APPEALS AND REMOVAL

Requests for an Appeal

A request for an appeal must be made to the Commission in writing within 30 days of the Commission's decision. Only an error in the facts presented or an error in judgement by the Commission may be grounds for an appeal. Within 60 days of receipt of a request for an appeal, the Commission will advise the applicant if it will consider the request and, if so, the time and place where the hearing will take place. If the request for an appeal is denied, the Commission's original determination will be binding.

Removal from the California Register

The Commission may remove a resource from the California Register if the resource, through demolition, alteration or loss of integrity, has lost its historic qualities or potential to yield information or if new information or analysis shows that the resource was not eligible at the time of its listing. Requests for removal must be made to the Commission in writing and must include a detailed justification for removal, photographs, other documentation regarding the current condition of the resource, and complete ownership information. Requests for removal are subject to the same notification and Commission hearing process as those for nomination.

NOMINATION CHECKLISTS

Standard Nomination Check List

- ☐ Cover letter. Please refer to the "Cover Letter" section above.
- ☐ Comments from local government or copy of certified mail receipt showing nomination was sent to the local government. Please refer to the "Local Government Review" section above.
- ☐ Primary Record (DPR 523A). See pages 5-8 of *Instructions for Recording Historical Resources*.
- ☐ Location Map (DPR 523J). See pages 8-9 of *Instructions for Recording Historical Resources*. (Note: The Location Map is optional for buildings located on small parcels of land in urban areas when a street address is provided.)
- ☐ Appropriate evaluation form (DPR 523B, C or D). See pages 9-17 of *Instructions for Recording Historical Resources*.
- ☐ Sketch Map(s) (DPR 523K), if applicable. See page 17 of *Instructions for Recording Historical Resources*.
- ☐ Optional Forms (DPR 523E, F, G, H, I or L), if applicable. See pages 17-22 of *Instructions for Recording Historical Resources*.

- ☐ Photographs. Photographs should show all elevations, views of the resource in its setting, and significant interior and exterior features. Photographs can be submitted loose or using the Photograph Record (DPR 523I). All photographs should be numbered, dated, and labeled with the resource name, the view (e.g., east side, photographer facing west, etc.), a brief description of what is shown, and the name of the photographer.
- ☐ 1 or more Color Slides. Please submit at least one color slide of the resource showing the full front elevation. Additional slides may also be submitted.
- ☐ Letters of support, if applicable.
- ☐ Supplementary materials. Additional materials may include newspaper articles, scholarly reports, additional graphics, and photocopied materials. (Staff may edit nomination packets to keep them to reasonable size before they are sent to the State Historical Resources Commission.)

Survey Nomination Check List

- ☐ Cover letter. Please refer to the "Cover Letter" section above.
- ☐ Comments from local government or copy of certified mail receipt showing nomination was sent to the local government. Please refer to the "Local Government Review" section above.
- ☐ Primary Record (DPR 523A) for each resource surveyed. See pages 5-8 of *Instructions for Recording Historical Resources*.
- ☐ Location Map (DPR 523J) for each resource surveyed. See pages 8-9 of *Instructions for Recording Historical Resources*. (Note: The Location Map is optional for buildings located on small parcels of land in urban areas when a street address is provided.)
- ☐ Appropriate evaluation form (DPR 523B, C or D) for each resource surveyed. See pages 9-17 of *Instructions for Recording Historical Resources*.
- ☐ Sketch Map(s) (DPR 523K), if applicable. See page 17 of *Instructions for Recording Historical Resources*.
- ☐ Optional Forms (DPR 523E, F, G, H, I or L), if applicable. See pages 17-22 of *Instructions for Recording Historical Resources*.

- ☐ Research design or statement of objectives for the survey.
- ☐ 1 or more Color Slides. Please submit at least one color slide of the survey area. Submittal of additional slides of contributing resources is encouraged.
- ☐ Letters of support, if applicable.
- ☐ Supplementary materials. Additional materials may include newspaper articles, scholarly reports, additional graphics, and photocopied materials. (Staff may edit nomination packets to keep them to reasonable size before they are sent to the State Historical Resources Commission.)

Local Ordinance Nomination Check List

- ☐ Cover letter. Please refer to the “Cover Letter” section above.
- ☐ Comments from local government or copy of certified mail receipt showing nomination was sent to the local government. Please refer to the “Local Government Review” section above.
- ☐ Ordinance.
- ☐ Primary Record (DPR 523A) for each resource designated. See pages 5-8 of *Instructions for Recording Historical Resources*.
- ☐ Location Map (DPR 523J) for each resource designated. See pages 8-9 of *Instructions for Recording Historical Resources*. (Note: The Location Map is optional for buildings located on small parcels of land in urban areas when a street address is provided.)
- ☐ Appropriate evaluation form (DPR 523B, C or D) for each resource designated. See pages 9-17 of *Instructions for Recording Historical Resources*.
- ☐ Sketch Map(s) (DPR 523K), if applicable. See page 17 of *Instructions for Recording Historical Resources*.
- ☐ Optional Forms (DPR 523E, F, G, H, I or L), if applicable. See pages 17-22 of *Instructions for Recording Historical Resources*.
- ☐ Photographs. In addition to the photograph required on the Primary Record, please provide photographs (color or black and white) of the resources and their surroundings. Photographs can be submitted loose or using the Photograph Record (DPR 523I). All photographs should be numbered, dated, and labeled with the resource name, the view (e.g., east side, photographer facing west, etc.), a brief description of what is shown, and the name of the photographer.
- ☐ 1 or more Color Slides. Please submit at least one color slide as a representative example of the resources designated under the ordinance. Submittal of additional slides of other resources is encouraged.
- ☐ Letters of support, if applicable.
- ☐ Supplementary materials. Additional materials may include newspaper articles, scholarly reports, additional graphics, and photocopied materials. (Staff may

edit nomination packets to keep them to reasonable size before they are sent to the State Historical Resources Commission.)

CALIFORNIA REGISTER CRITERIA

Eligibility Criteria

An historical resource must be significant at the local, state, or national level, under one or more of the following four criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or
2. It is associated with the lives of persons important to local, California, or national history; or
3. It embodies the distinctive characteristics of a type, period, region, or method or construction, or represents the work of a master, or possesses high artistic values; or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Integrity

Integrity is the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Historical resources eligible for listing in the California Register must meet one of the criteria of significance described above and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Historical resources that have been rehabilitated or restored may be evaluated for listing.

Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. It must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or historic changes in its use may themselves have historical, cultural, or architectural significance.

It is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the National Register, but they may still be eligible for listing in the California Register. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if it maintains the potential to yield significant scientific or historical information or specific data.

Special Considerations

Moved buildings, structures, or objects The State Historical Resources Commission encourages the retention of historical resources on site and discourages the non-historic grouping of historic buildings into parks or districts. However, it is recognized that moving an historic building, structure, or object is sometimes necessary to prevent its destruction. Therefore, a moved building, structure, or object that is otherwise eligible may be listed in the California Register if it was moved to prevent its demolition at its former location and if the new location is compatible with the original character and use of the historical resource. An historical resource should retain its historic features and compatibility in orientation, setting, and general environment.

Historical resources achieving significance within the past fifty years In order to understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than fifty years old may be considered for listing in the California Register if it can be demonstrated that sufficient time has passed to understand its historical importance.

Reconstructed buildings Reconstructed buildings are those buildings not listed in the California Register under the criteria stated above. A reconstructed building less than fifty years old may be eligible if it embodies traditional building methods and techniques that play an important role in a community's historically rooted beliefs, customs, and practices; e.g., a Native American roundhouse.

This publication has been financed in part with Federal funds from the National Park Service, Department of the Interior, under the National Historic Preservation Act of 1966, as amended, and administered by the California Office of Historic Preservation. The contents and opinions do not necessarily reflect the views or policies of the Department of the Interior, nor does the mention of trade names or commercial products constitute endorsement or recommendation by the Department of the Interior. Under Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, the U.S. Department of the Interior strictly prohibits unlawful discrimination on the basis of race, color, national origin, age, or handicap in its federally- assisted programs. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to Office for Equal Opportunity, U.S. Department of the Interior, National Park Service, Box 37127, Washington DC 20013-7127.